

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Intervertebral Connection System, the specification of which

(check one)  is attached hereto.

was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.      Filing Date      Status

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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith as well as to file equivalent patent applications in countries foreign to the United States including the filing of international patent applications in accordance with the Patent Cooperation Treaty: Steven P. Berman (Reg. #24,772), Andrea L. Colby (Reg. #30,194), Paul A. Coletti (Reg. #32,019), Matthew S. Goodwin (Reg. #32,839), Ralph R. Palo (Reg. #29,486), Bernard F. Plantz (Reg. #32,091), Joseph F. Shirtz (Reg. #31,880), Michael Stark (Reg.

#32,495), Mark R. Warfield (Reg. #33,463), and Thomas M. DiMauro (Reg. #35,490) One Johnson & Johnson Plaza, New Brunswick, NJ 08933.

Address all telephone calls to Thomas M. DiMauro at telephone no. (508) 880-8401.

Address all correspondence to Philip S. Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature:

Full Name of Sole  
or First Inventor

  
Hassan A. Serhan

Date: 3-30-01

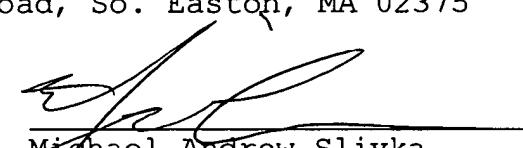
Citizenship: U.S.

Residence: 27 Forest Edge Road, So. Easton, MA 02375

Mailing Address: 27 Forest Edge Road, So. Easton, MA 02375

Inventor's Signature:

Full Name of Second Joint  
Inventor, If Any

  
Michael Andrew Slivka

Date: 3-30-01

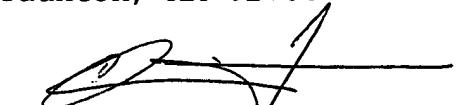
Citizenship: U.S.

Residence: 290 Plain Street, Taunton, MA 02780

Mailing Address: 290 Plain Street, Taunton, MA 02780

Inventor's Signature:

Full Name of Third Joint  
Inventor, If Any

  
Christopher T. Fair

Date: 3-30-01

Citizenship: U.S.

Residence: 15 Edgewood Drive, Barrington, RI 02806

Mailing Address: 15 Edgewood Drive, Barrington, RI 02806

(Supply similar information and signature for fourth and subsequent joint inventors.)

A S S I G N M E N T

Serial No.

Filed

WHEREAS, Hassan A. Serhan, Michael Andrew Slivka and Christopher T. Fair, residing at 27 Forest Edge Road, So. Easton, MA 02375, 290 Plain Street, Taunton, MA 22780 and 15 Edgewood Drive, Barrington, RI 02806 respectively (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

Intervertebral Connection System3

for which they have on the 30th day of March, 2001 executed an application for Letters Patent of the United States; and

WHEREAS, DePuy AcroMed, Inc., a corporation of the State of Ohio, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

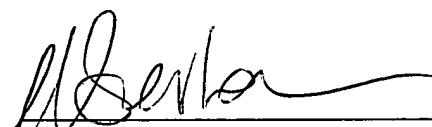
And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above

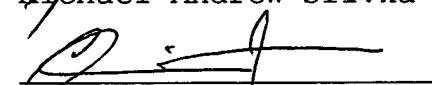
described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignors have hereunto set their hands and seals this 30th day of March, 2001

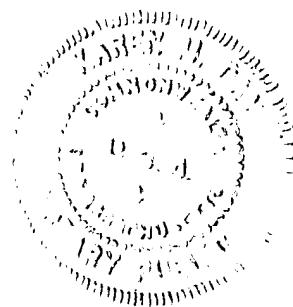
 3-30-01  
Hassan A. Serhan

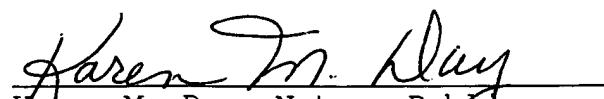
 3-30-01  
Michael Andrew Slivka

 3-30-01  
Christopher T. Fair

STATE OF Massachusetts)  
) ss.  
COUNTY OF Bristol)

BE IT REMEMBERED, That on this 30th day of March, 2001, before me, a Notary Public, personally appeared Hassan A. Serhan, Michael Andrew Slivka and Christopher T. Fair, who I am satisfied are the persons named in and who executed the foregoing instrument in my presence, and I having first made known to them the contents thereof, they did acknowledge that they signed, sealed, and delivered the same as their voluntary act and deed for the uses and purposes therein expressed.



  
Karen M. Day, Notary Public  
My commission expires 10/2/03